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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/741,571	12/19/2000	Kathryn L. Parker	MS #155647.1/40062.88-US-	5903

7590 07/22/2003
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EXAMINER

PATEL, HARESH N

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 07/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/741,571

Applicant(s)

PARKER ET AL.

Examiner

Haresh Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 December 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

1. Claims 1-13 are presented for examination.

Specification

2. Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application.

In response to this requirement, please provide the title, citation and copy of each publication that is a source used for the description of the prior art in the disclosure. For each publication, please provide a concise explanation of that publication's contribution to the description of the prior art.

This Office action has an attached requirement for information under 37 CFR 1.105. A complete reply to this Office action must include a complete reply to the attached requirement for information. The time period for reply to the attached requirement coincides with the time period for reply to this Office action.

Drawings

3. Figures 1, 2 and 3 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Treyz et al. 6,587,835 (Hereinafter Treyz).

6. As per claims 1, 6 and 9, Houha teaches the following:

a method of notifying a user of a notification event occurring in a small computer device, the small computer device having a memory, the method comprising,

a computer program product readable by a computer and encoding instructions for executing a computer process for notifying a user of notification events, the process comprising,

a computer system for notifying a user of notification events, the system comprising:

storing at least one profile of notification events (e.g., handheld computing device may store the reminder locally or may store the reminder on a remote server or the like, col. 35, lines 53-64), wherein the notification events are associated with at least one notification type (e.g., screen may contain a calendar of events at a bookstore, if the user is interested in the event, the user may select set reminder option, the user may adjust alert settings for various message types col. 35, lines 53-64);

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associating each profile with a unique notification mode (e.g., Screen 968 may contain a data entry region 970 in which the user may supply information sufficient to uniquely identify the customer of interest, figure 103),

receiving a selection signal to select one notification mode (e.g., screen may contain a calendar of events at a bookstore, information may be provided on an event at a bookstore, col. 35, lines 53-64;

applying the selected notification mode to the small computer device (e.g., handheld computing device may store the reminder, col. 35, lines 46-67) and wherein the device remains in the selected mode until another mode is selected and wherein the user is notified of events according to the selected notification mode (e.g., if the user is interested in the event, the user may select accordingly, col. 35, lines 46-67),

notifying a user of an event according to the stored profile (e.g., user may be reminded of the calendar event, col. 35, lines 46-67),

a memory unit for storing a plurality of profiles (e.g., storage, figure 4), the profile relating notification events with notification types (e.g., handheld computing device may store the reminder locally or may store the reminder on a remote server or the like, col. 35, lines 53-64);

a first output device for notifying the user of a notification event using a first notification type (e.g., calendar of events at a bookstore, if the user is interested in the event, the user may select set reminder option, col. 35, lines 53-64),

a second output device for notifying the user of the notification event using a second notification type wherein the second notification type is different from the first notification type

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(e.g., vibration unit 116 may be used to vibrate handheld computing unit when it is desired to alert the user by vibrations without disturbing people in the vicinity of handheld computing unit by not using an audible alert, col. 15, line 64 – col.16, line 15);

a processing unit for automatically determining whether to notify the user using the first notification type or the second notification type (processor, figure 4, audio tones or vibration unit, col. 15, line 64 – col.16, line 15).

7. As per claims 2-5, 7, 8, 10-13, Houha teaches the following:

a calendar-type application program storing reminder events and wherein the selection signal is generated by the calendar-type application program (e.g., calendar of events at a bookstore, if the user is interested in the event, the user may select set reminder option, col. 35, lines 53-64),

the notification event is the reception of email over a wireless network, e.g., the handheld computing device may also be used for communications functions such as sending and receiving e-mail. Wireless communications may involve short-range or local wireless links and may also involve longer-range or remote wireless links (col. 2, lines 11-15),

receiving an indication to select a notification mode (e.g., calendar of events at a bookstore, if the user is interested in the event, the user may select set reminder option, col. 35, lines 53-64),

displaying a notification mode menu; and wherein the received selection signal relates to a selection from the displayed (e.g., calendar of events at a bookstore, if the user is interested in the event, the user may select set reminder option, col. 35, lines 53-64),

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applying the selected notification mode to the small computer device and wherein the device remains in the selected mode until another mode is selected and wherein the user is notified of events according to the selected notification mode (e.g., handheld computing device may store the reminder locally or may store the reminder on a remote server or the like, col. 35, lines 53-64);

associating each profile with a unique notification mode (e.g., Screen 968 may contain a data entry region 970 in which the user may supply information sufficient to uniquely identify the customer of interest, figure 103),

receiving a selection signal to select one notification mode (e.g., Screen 968 may contain a data entry region 970 in which the user may supply information sufficient to uniquely identify the customer of interest, figure 103),

the notification type is a vibrating signal, audible signal, visual signal or off (e.g., audio tones or vibration unit, col. 15, line 64 – col.16, line 15),

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

See Form PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haresh Patel whose telephone number is (703) 605-5234. The examiner can normally be reached on Monday-Friday from 8:00 am to 5:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee, can be reached at (703) 305-8498.

The appropriate fax phone number for the organization where this application or proceeding is assigned is (703) 306-5404.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Haresh Patel

July 18, 2003.



JOHN FOLLANSBEE
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